

Commissioner for Patents
Amendment dated November 15, 2004
Response to Office Action dated August 13, 2004
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Serial: 10/057643
Art Unit: 2114
Examiner: Matthew
Docket No. RPS9 2001 0149 US1

REMARKS/ARGUMENTS

Claims 1-20 were presented and examined. The Examiner objected to the drawings, and certain informalities in the specification and in claims 7, 14, and 20. The Examiner rejected claims 1-4, 6, 8-11, 13, and 15-19 under 35 USC § 103(a), as being unpatentable over Ahrens, Jr. *et al.* (U.S. Patent No. 6,745,147 B2), hereinafter Ahrens, and further in view of Ladner *et al.* (U.S. Patent No. 5,251,150), hereinafter Ladner. Claims 5 and 12 were rejected under 35 USC § 103(a), as being unpatentable over Ahrens in view of Ladner, as applied to claims 1 and 8, and further in view of Nouri *et al.* (U.S. Patent No. 6,138,250) hereinafter Nouri, and Christeson (U.S. Patent No. 5,822,581) hereinafter Christeson. Claims 7, 14, and 20 were rejected under 35 USC § 103(a), as being unpatentable over Ahrens in view of Ladner, as applied to claims 1, 8, and 15, and further in view of Wade *et al.* (U.S. Patent No. 5,280,398), hereinafter Wade. In this response, Applicant has amended claims 7, 14, and 20. Claims 1-20 remain pending.

Specification Objections

The Examiner objected to informalities in the specification as filed. In response, Applicant has amended the specification to pursuant to the Examiner's suggestion.

Drawing Objections

The Examiner objected to an informality in FIG. 2 as filed and required correction. Specifically, the Examiner correctly determined that the specification does not refer to reference numeral 204 of FIG. 2. In response, Applicant has amended FIG. 2 to remove the reference numeral. Applicant has submitted with this response a replacement sheet for FIG. 2 and an annotated sheet showing changes. Applicant again wishes to thank the Examiner for identifying this informality. Applicant believes that the drawing set including the replacement sheet is fully compliant with the requirements of 37 CFR 1.84 and, accordingly, Applicant respectfully request the Examiner to withdraw the objection.

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Claim Objections

The Examiner objected to informalities in claims 7, 14, and 20. In response, Applicant has amended each of the objected-to claims along the lines helpfully suggested by the Examiner. Applicant again wishes to thank the Examiner for diligently reviewing the application and discovering these errors. Applicant submits that the claims as amended address the objections raised by the Examiner and Applicant would respectfully request the Examiner to reconsider and withdraw the objections.

Claim rejections under 35 USC § 103(a)

The Examiner rejected claims 1-4, 6, 8-11, 13, and 15-19 under 35 USC § 103(a), as being unpatentable over Ahrens, Jr. *et al.* (U.S. Patent No. 6,745,147 B2), hereinafter Ahrens, and further in view of Ladner *et al.* (U.S. Patent No. 5,251,150), hereinafter Ladner.

In response to the rejection of independent claims 1, 8, 15, Applicant respectfully requests the Examiner to withdraw Ahrens as prior art in this case. Ahrens is prior art with respect to the present application only under 35 USC § 102(c). The claimed invention and the subject matter of Ahrens were, at the time of the invention, assigned to or under an obligation of assignment to a common entity, namely, IBM Corporation. Accordingly, under the provisions of 35 USC 103(c), Ahrens does not preclude patentability under Section 103(a). Applicant therefore requests the Examiner to withdraw Ahrens as a reference with respect to all Section 103(a) rejections. Because the rejections of all independent claims were Section 103(a) rejections based, in part, on Ahrens, Applicant believes that the independent claims, and all claims dependent thereon, are patentable over the remaining references.

In this response, Applicant has addressed the Examiner's objections to the drawings, specification, and claims, and the Examiner's claim rejections under 35 USC § 103(a). Accordingly, Applicant believes that this response constitutes a complete response to each of the issues raised in the office action. In light of the amendments made herein and the accompanying remarks, Applicant believes that the pending claims are in condition for allowance. Accordingly, Applicant would request the Examiner to withdraw the rejections, allow the pending claims, and

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advance the application to issue. If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference at 512.428.9872.

Respectfully submitted,



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